

Docket Number X0104E

DECLARATION FOR PATENT APPLICATION

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which patent is sought on the invention entitled **WIRELESS PEN INPUT DEVICE**, the specification of which is attached hereto unless the following box is checked:

was filed on _____ as United States Application Number or PCT International Application Number
and was amended on _____ if applicable.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed
 Yes No

(Number) (Country) (Day/Month/Year Filed)

Yes No

(Number) (Country) (Day/Month/Year Filed)

Yes No

(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

(Application Number)(Filing Date)

(Status - patented, pending, abandoned)

(Application Number)(Filing Date)

(Status - patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) **MICHAEL D. JENKINS**

Inventor's signature

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Date 4-23-01

Citizenship: UNITED STATES

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Second Inventor's signature

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Date 4-23-01

Citizenship: UNITED STATES

Associate Power Of Attorney Or Agent (37 CFR 1.34)
(For Representation Related To A Patent Application)

Docket No.
X0104E

In Re Application Of: **XYBERNAUT CORPORATION**

Serial No.

Filing Date

Examiner

Group Art Unit

Invention: **WIRELESS PEN INPUT DEVICE**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Please recognize the following as Associate Attorney Associate Agent in this application.

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Registration Number & Address of Principal Attorney or Agent of Record

Dated: **APRIL 25, 2001**

I certify that this document is being deposited on
with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
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Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence